

Glencoe, MN

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

MCLEOD COUNTY

Employer

and

Case 18-WH-169685

**MINNESOTA PUBLIC EMPLOYEES
ASSOCIATION**

Petitioner

**CERTIFICATION OF REPRESENTATIVE AS BONA FIDE
UNDER SECTION 7(B) OF THE FAIR LABOR STANDARDS ACT OF 1938**

On February 16, 2016, Minnesota Public Employees Association (MPEA) (the Petitioner) filed with the Regional Director for Region 18 of the National Labor Relations Board a request for certification of representative as bona fide under Section 7(b) of the Fair Labor Standards Act of 1938 (FLSA), 29 U.S.C. § 207(b).

On March 11, 2016, the Regional Director served on the parties a Notice to Show Cause why the Board should not grant the request. No response was filed. As the Region's investigation revealed that the Petitioner is the recognized collective-bargaining representative of the unit employees, the Regional Director recommended to the Board that the requested certification be issued.¹

¹ The record indicates that the Petitioner and the Employer have entered into a collective-bargaining agreement effective by its terms from December 29, 2013 through December 26, 2016. The record also indicates that the Petitioner was certified by the Minnesota Bureau of Mediation Services (BMS) as the exclusive bargaining representative of the unit employees on March 23, 2012, following an election in which Law Enforcement Labor Services (LELS) participated but was decertified.

Previously, on July 8, 2010, the Board issued a Certification of Representative as Bona Fide in favor of LELS in Case 18-WH-000019. In light of the decertification of

No party having shown cause why the requested certification should not be issued, the National Labor Relations Board hereby certifies that Minnesota Public Employees Association is a bona fide representative, for purposes of Section 7(b) of the FLSA, of the employees of McLeod County in the following unit:²

All Communications Officers, Corrections Officers, Jail Program Coordinator and Jail Corporals within the McLeod County Sheriff's Department who are employed for more than 14 hours per week and more than 67 work days per year, excluding the Sheriff and the Chief Deputy, supervisory and confidential employees.

Dated, Washington, D.C., May 25, 2016

By direction of the Board:

Gary Shinnors

Executive Secretary

LELS, the July 8, 2010 Certification of Representative as Bona Fide in favor of LELS is revoked.

² A certificate of representative as bona fide for purposes of the FLSA does not necessarily establish the right of the organization so certified to be recognized as the exclusive bargaining representative of employees within a particular bargaining unit under the provisions of the National Labor Relations Act. See *County of Alameda*, 322 NLRB 614 (1996).